

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3613 of 1997

DAHYABHAI JIVANBHAI SHAH

Versus

COMPETENT AUTHORITY AND DEPUTYCOLLECTOR (U.L.C.)

Appearance:

MR BS PATEL for Petitioner

MR SJ DAVE AGP for Respondent No. 1, 2

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 26/07/1999

ORAL JUDGEMENT

1. The present petition under article 227 of the Constitution challenges the order passed by the Urban Land Tribunal under section 33 of the Urban Land (Ceiling & Regulation) At, 1976.
2. By the impugned order dismissing the appeal under section 23 of the Act of 1976, the order passed by the Competent Authority under section 9 of the said Act stood confirmed.
3. By virtue of section 4 of the Urban Land (Ceiling & Regulation) Repeal Act, 1999, all proceedings which were pending on 30th March, 1999, when the State of Gujarat adopted the said Repeal Act, stood abated. Consequently, the present petition stands abated and is accordingly disposed off. Rule discharged with no order as to costs. Ad interim relief stands vacated.
4. It merely requires to be observed that as a necessary consequence of the impugned orders, the orders passed by the Competent Authority under section 9 stand confirmed. Learned counsel for the respondents states that thereafter only the proceedings upto the stage of section 10(1) of the Act of 1976 have been taken, and no notification under section 10(3) has been issued nor have subsequent proceedings been taken. It would therefore

appear that the petitioners are in possession of the land
in question.

(Y.B. BHATT, J.)

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